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11/20/09

In re Application of:
LAGO-ARENAS, MARTA
Serial No.: 10/573,414
Filed: Nov. 2, 2006
Docket: 02804.0075
Title: CUTLERY SET ASSEMBLY

DECISION ON PETITION
UNDER 37 CFR 1.91

This is a decision on the petition for request entry of exhibit filed under 37 CFR 1.91.

The petition filed on September 22, 2009 requests entry of exhibit of a preferred cutlery set assembly, filed under 37 CFR 1.91¹ and includes the required petition and the required fee as set forth in 37 CFR 1.17(h). The petition fee of \$130.00 was paid in accordance with 37 CFR 1.17(h).

The request to enter the exhibit and the petition comply with the requirements as set forth in 37 CFR 1.91. Accordingly, the requested entry of the exhibit in the file record is granted. Currently, the exhibit has been placed in a separate artifact file for the examiner's consideration.

The application is being forwarded to the examiner for consideration of the exhibit, goggles, filed on June 11, 2009. Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

Petition is granted.

Robert Olszewski, Director
Technology Center 3700

¹ § 1.91 Models or exhibits not generally admitted as part of application or patent. (a) A model or exhibit will not be admitted as part of the record of an application unless it: (1) Substantially conforms to the requirements of § 1.52 or § 1.84; (2) Is specifically required by the Office; or (3) Is filed with a petition under this section including: (i) The fee set forth in § 1.17(h); and (ii) An explanation of why entry of the model or exhibit in the file record is necessary to demonstrate patentability. (b) Notwithstanding the provisions of paragraph (a) of this section, a model, working model, or other physical exhibit may be required by the Office if deemed necessary for any purpose in examination of the application. (c) Unless the model or exhibit substantially conforms to the requirements of § 1.52 or § 1.84 under paragraph (a)(1) of this section, it must be accompanied by photographs that show multiple views of the material features of the model or exhibit and that substantially conform to the requirements of § 1.84.